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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/717,913	11/21/2003	Nobuo Ichimura	062709-0118	7376

22428 7590 11/14/2006

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EXAMINER

BOCHNA, DAVID

ART UNIT PAPER NUMBER

3679

DATE MAILED: 11/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/717,913	Applicant(s) ICHIMURA ET AL.	
	Examiner David E. Bochna	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) 5-15 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4 is/are allowed.
- 6) ☒ Claim(s) 16-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 16-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al.

In regard to claim 16, Wilson et al. discloses a connecting structure comprising:

a first member 16; and

a second member 44,

wherein the first member has a peripheral wall portion that includes an outer end face 20 and a stepped portion 63 engaged with the second member,

wherein the peripheral wall portion includes a thin-shaped deformed portion 74 that is defined by a groove (“cutting” groove is a product by process limitation, as the way in which the groove was formed carries no weight in an apparatus claim, Wilson et al. discloses a groove 74, how it was formed is irrelevant) formed in the outer end face and that is deformed inwardly with respect to the stepped portion of the first member,

wherein the deformed portion has a convex outer face (end inner tip of 74 has a rounded convex end) and an inner face 70 that abuts the second member 42.

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In regard to claim 17, wherein the inner face of the peripheral wall portion has a concave shape (the inner surface of 74, where it joins back into the vertical wall of 62 contains a concave portion).

In regard to claim 18, Wilson et al. discloses a connecting structure of a pipe connected to a passage formed in a member, comprising:

- a projection portion 42 that projects from the pipe 44 radially outwardly;

- a recess portion that is provided at an open end of the passage formed in the member and that receives the projection portion of the pipe,

- wherein the recess portion is defined by a peripheral wall portion 62 that includes a thin-shaped deformed portion 74,

- wherein the deformed portion: (a) is defined by a groove 94 (“cutting” groove is a product by process limitation, as the way in which the groove was formed carries no weight in an apparatus claim, Wilson et al. discloses a groove 74, how it was formed is irrelevant) formed in an outer end face

- of the peripheral wall portion at a distance from the recess portion, (b) is deformed radially inward with respect to the recess portion, and (c) has a convex outer face (rounded end of 74) and an inner face 70 that is engaged with and abuts the projection portion 42.

In regard to claim 19, wherein the inner face of the peripheral wall portion has a concave shape (the inner surface of 74, where it joins back into the vertical wall of 62 contains a concave portion).

Response to Arguments

3. Applicant's arguments have been fully considered but they are not persuasive. Applicant argues that Wilson et al. does not disclose a cutting groove formed in the outer end face. The Examiner disagrees. Wilson et al. discloses a groove 74 in the outer end face 20 of first member. As mention above, "cutting" groove is a product by process limitation, as the way in which the groove was formed carries no weight in an apparatus claim, Wilson et al. discloses a groove 74, how it was formed is irrelevant in an apparatus claim.

Allowable Subject Matter

4. Claims 1-4 are allowed.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

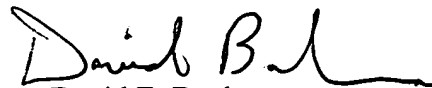
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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David E. Bochna whose telephone number is (571) 272-7078.

The examiner can normally be reached on 8-5:30 Monday-Thursday and every other Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "David E. Bochna", with a stylized flourish at the end.

David E. Bochna
Primary Examiner
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